

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN**

**PATENT  
DOCKET NO: 770940-7**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Nimesh Desai, Sanjay Udani, James David Kimble, Jr., Thomas P. Werges, David Dean Richardson and Jeffrey A. Gustafson

Serial No.: 09/542,688

Filed: April 4, 2000

Title: System And Method For Selective Information Exchange

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: SDN ONLINE INCORPORATED

Address of Small Business Concern: 548 So. Spring Street #1200, Los Angeles, CA 90013

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year; and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention described in:

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR (1.9(d), or a non-profit organization under 37 CFR(1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

☒ No such person, concern or organization exists.

☐ Each such person, concern or organization is listed below.

Full Name:

Address:

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon or any patent to which this verified statement is directed.

Dated: 12/07/00

By: 

Name: NICK DESAI

Title: CEO

Address: 548 So. Spring Street #1200, Los Angeles, CA 90013

**DECLARATION AND PETITION**

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR SELECTIVE INFORMATION EXCHANGE, the specification of which was filed with the U.S. Patent and Trademark Office on April 4, 2000, bearing Serial No. 09/542,688.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

**PRIOR FOREIGN APPLICATION(S)**

Priority claimed

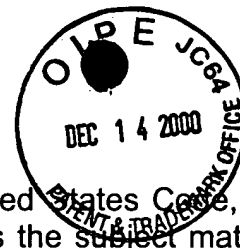
Number	Country	Date Filed	Yes	No
				Priority claimed

Number	Country	Date Filed	Yes	No
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We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/127,114	March 31, 1999
Application Serial No.	Filing Date

Application Serial No.	Filing Date
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We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09/541,890

March 31, 2000

Application Serial No.

Filing Date

Application Serial No.

Filing Date

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Correspondence should be addressed to:

Brian M. Berliner  
O'MELVENY & MYERS LLP  
400 South Hope Street  
Los Angeles, California 90071-2899  
Telephone (213) 430-6000

Wherefore we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and we hereby subscribe our names to the foregoing specification and claims, declaration and petition.

**Full name of first inventor:** NIMESH DESAI

Inventor's signature:

Date:

12/7/00

Residence: 13261 Tiburon Way, Tustin, CA 92782

Citizenship: U.S.A.

Post Office Address: Same as above



**Full name of second inventor:** SANJAY UDANI

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 1930 Tamarind Avenue #8, Hollywood, CA 90068

Citizenship: U.S.A.

Post Office Address: Same as above

**Full name of third inventor:** JAMES DAVID KIMBLE, JR.

Inventor's signature: \_\_\_\_\_

Date: 04 DEC 2000

Residence: 14040 Tahiti Way #512, Marina Del Rey, CA 90292-6511

Citizenship: U.S.A.

Post Office Address: Same as above

**Full name of fourth inventor:** THOMAS P. WERGES

Inventor's signature: \_\_\_\_\_

Date: 2000. Dec. 04

Residence: 1334 Euclid Avenue #4, Santa Monica, CA 90404

Citizenship: U.S.A.

Post Office Address: Same as above

**Full name of fifth inventor:** DAVID DEAN RICHARDSON

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 330 East Cordova Street #311, Pasadena, CA 91101

Citizenship: U.S.A.

Post Office Address: Same as above

**Full name of sixth inventor:** JEFFREY A. GUSTAFSON

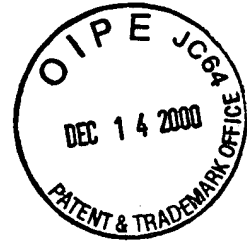
Inventor's signature: *Jeffrey Gustafson*

Date: 12-6-2000

Residence: 10130 Lemona Avenue, Mission Hills, CA 91345

Citizenship: U.S.A.

Post Office Address: Same as above



**DECLARATION AND PETITION**

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR SELECTIVE INFORMATION EXCHANGE, the specification of which was filed with the U.S. Patent and Trademark Office on April 4, 2000, bearing Serial No. 09/542,688.

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**PRIOR FOREIGN APPLICATION(S)**

Priority claimed

Number	Country	Date Filed	Yes	No
				Priority claimed

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O'MELVENY & MYERS LLP  
400 South Hope Street  
Los Angeles, California 90071-2899  
Telephone (213) 430-6000

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**Full name of first inventor:** NIMESH DESAI

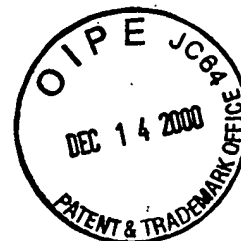
Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 13261 Tiburon Way, Tustin, CA 92782

Citizenship: U.S.A.

Post Office Address: Same as above



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Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

12/3/00

Residence: 1930 Tamarind Avenue #8, Hollywood, CA 90068

Citizenship: U.S.A.

Post Office Address: Same as above

**Full name of third inventor:** JAMES DAVID KIMBLE, JR.

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 14040 Tahiti Way #512, Marina Del Rey, CA 90292-6511

Citizenship: U.S.A.

Post Office Address: Same as above

**Full name of fourth inventor:** THOMAS P. WERGES

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 1334 Euclid Avenue #4, Santa Monica, CA 90404

Citizenship: U.S.A.

Post Office Address: Same as above

**Full name of fifth inventor:** DAVID DEAN RICHARDSON

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

12/3/00

Residence: 330 East Cordova Street #311, Pasadena, CA 91101

Citizenship: U.S.A.

Post Office Address: Same as above



**Full name of sixth inventor:** JEFFREY A. GUSTAFSON

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 10130 Lemona Avenue, Mission Hills, CA 91345

Citizenship: U.S.A.

Post Office Address: Same as above